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P.3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Kouznetsov et al.

Application No. 10/057,709

Filed: January 25, 2002

**For: SYSTEM AND METHOD FOR
PROVIDING WEB BROWSER-BASED
SECURE REMOTE NETWORK APPLIANCE
CONFIGURATION ON A DISTRIBUTED
COMPUTING ENVIRONMENT**

Group Art Unit: 2141

Examiner: Taylor, Nicholas R.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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**DECLARATION OF PRIOR INVENTION IN THE UNITED STATES
OR IN A NAFTA OR WTO MEMBER COUNTRY
TO OVERCOME CITED PATENT OR PUBLICATION (37 C.F.R. section 1.131)**

PURPOSE OF DECLARATION

1. This declaration is to establish completion of the invention in this application in the United States at a date prior to June 25, 2001, which is the effective date of United States Patent Publication No. 2002/0198969 that was cited by the Examiner.
2. The person making this declaration is an inventor, Michael Chin-Hwan Pak.

FACTS AND DOCUMENTARY EVIDENCE

3. To establish the date of completion of the invention of this application, the following statement and exhibit are submitted as evidence:

EXHIBIT A— Confidential disclosure document and an e-mail referring to the confidential disclosure document generated before the filing of the present patent application showing the conception and/or reduction of practice of a framework for network appliance management in a distributed computing environment at least as early as April 3, 2001. See attached.

STATEMENT: I, Michael Chin-Hwan Pak, hereby state that the invention in the above patent application was conceived and/or reduced to practice at a date prior to June 25, 2001, as evidenced, at least in part, by EXHIBIT A. In particular, at a date prior to June 25, 2001, the invention in the above patent application was at least conceived to include one or more network appliances interconnected within a bounded network domain defined by a common network address space; and a configuration client comprising an applet executing within a Web browser and configuring the network appliances, comprising: a status module broadcasting a query message to the network appliances and processing a

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response message containing network settings, including a physical network address, received by the applet from at least one such network appliance responsive to the query message; and a configuration module generating and sending a configuration packet using the physical network address for each at least one such network appliance sending a response message and requiring configuration.

Moreover, the invention in the above patent application was conceived to include at least one network appliance sending a response message containing network settings responsive to a query message broadcast over a specified network domain within which the at least one network appliance operates; a configuration client generating a configuration package for the at least one network appliance and containing centrally managed network settings customized for the at least one network appliance; and a bootstrap module on the at least one network appliance installing the configuration package as part of an initialization bootstrap operation, as well as other claimed features, as well as other claimed features.

From this statement and attached exhibit, it is clear that the invention in this application was made at a date prior to June 25, 2001.

DILIGENCE

4. It is hereby declared that applicant acted diligently from a time prior to the effective date of United States Patent Publication No. 2002/0198969 up to reduction to practice or the filing of the above application.

TIME OF PRESENTATION OF THE DECLARATION

5. This declaration is submitted prior to a final rejection or with a first reply or after a final rejection for the purpose of overcoming a new ground of rejection or requirement made in such final rejection. Thus, the declaration submitted herewith is considered timely and should be considered. See MPEP 715.09 (C).

DECLARATION

6. As a person signing below:

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Inventor's signature:


Michael Chin-Hwan Pak

Date: June 14, 2005

Country of Citizenship:

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Residence:

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